

2.0 RESPONSE

2.1 STATUS OF THE CLAIMS

Claims 1-23 were pending at the time of the Restriction Requirement.

Claims 18 and 20-23 were withdrawn from consideration as being directed to a non-elected invention.

Claims 2 and 14 have been canceled herein without prejudice and without disclaimer.

Claims 1,4, 6, 8, 11, and 12 have been amended herein.

Claims 24-28 have been added herein.

Claims 1-17, 19, and 24-28 remain pending in the application.

In accordance with 37 C. F. R. § 1.121, the pending claims are listed in the amendment section.

2.2 CHANGE OF CUSTOMER NUMBER FOR APPLICANTS' REPRESENTATIVE

Applicants note for the record that their undersigned representative has relocated his practice from Williams, Morgan & Amerson (customer number 0023720) to Haynes and Boone, LLP (customer number 0027683) effective March 9, 2005. Authorization for the transfer of this matter to the new firm was granted and the undersigned representative's new firm has submitted a revocation of power of attorney, a new power of attorney, and a change of customer number/correspondence address to formalize this representation change. Those documents were submitted to the Office previously under separate cover, and a Notice of Acceptance of the Power of Attorney was mailed July 20, 2005.

The new attorney docket number for this case is 36677.11. Applicants appreciate the Examiner's so noting of this in all subsequent communication with the undersigned representative, and that the attorney docket number for this file be corrected to reflect this change.

Likewise, should the Office or the Examiner-in-Charge of this application have any questions, the Applicants' new undersigned representative may be contacted at the following address:

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2.3 SUPPORT FOR THE PENDING CLAIMS

Support for the pending claims exists throughout the specification and claims as originally filed. In particular, support for the amendment to claim 1 is found at page 7, lines 17, and in compound 35 of Example 7, at page 41, lines 25-26. Likewise, support for new claim 24 is found throughout the Specification, and at least on page 11; support for new claims 25-27 is found throughout the Specification, and at least on pages 41 and 74; support for new claim 28 is found throughout the Specification, and at least on pages 20-24, including Examples 7 and 18.

In light of the claims canceled to date, no fees should be required for the new claims. Applicants certify that no new matter was added as a result of the present amendment.

2.4 THE CLAIM OBJECTION IS OVERCOME.

The Action at page 2 objects to claim 8 as to form. Applicants respectfully traverse, but in the interest of a speedy prosecution, have nevertheless amended the claim to provide even more clarity by utilization of traditional Markush language.

Applicants respectfully request, therefore, that in light of the amendment, the objection be withdrawn.

2.5 THE REJECTION OF CLAIMS UNDER 35 U. S. C. § 112, 2ND PARAGRAPH, IS OVERCOME.

The Action at page 2 rejects claims 1-17 and 19 allegedly as being indefinite. Applicants respectfully traverse. However, in an interest to proceed the case to allowance and in an interest

Claim 1 has been amended to address the concerns of the Examiner, and to provide greater clarity that the compound of general formula I is an ionic complex. Thus, an ionic (and not covalent bond) exists between [D] and [Wq-F-X-L].

Claims 2 and 14 have been canceled; the rejection of these claims is now moot.

Claims 4 and 6 have been amended due to the helpful suggestion of the Examiner to particularly point out attachment of the linker X to the saccharide molecule at the “anomeric” position.

Claim 11 has been amended to recite the following charged functional groups: amidinium, guanidinium, carboxylate, tetrazoline, hydroxamate, hydrazido, ammonium, sulfate, phosphonate, phosphate, and sulfonate.

Claim 12 has been clarified to recite that S may be either a mono- di- or tri-saccharide.

In summary, Applicants respectfully request, therefore, that the rejection under 35 U. S. C. §112, second paragraph, be withdrawn.

2.6 THE REJECTION OF CLAIMS UNDER 35 U. S. C. § 102(B) IS OVERCOME.

The Action at page 4 rejects claims 1-17 and 9-12 allegedly as being anticipated by Dekany *et al.*

Dekany is said to disclose a lipidic moiety containing sugar compound that contains a covalently-bonded second sugar moiety that constitutes a therapeutically-useful molecule, and thus, anticipate claim 1. Applicants respectfully traverse.

To completely distinguish the claimed invention over Dekany, the language of claim 1 has been improved to specifically address the concerns of the Examiner. Claim 1 now provides even further clarity by distinctly pointing out that a compound of the general formula I is an ionic complex, which means that the bond between the drug and the carrier compound is not a covalent linkage. Therefore, since Dekany relates to a class of compounds comprising covalently-linked moieties, and not ionic complexes, it therefore neither anticipates, nor renders obvious the compounds of the present invention.

Applicants therefore respectfully request that the rejection of claims in view of Dekany be withdrawn.

2.7 CONCLUSION

It is respectfully submitted that all pending claims are fully enabled by the Specification, and that all claims are definite, and free of any concerns of prior art. Applicants believe that the claims are acceptable under all sections of the Statutes and are now in conditions for ready allowance, and that all of the concerns of the Examiner have been resolved. Applicants further respectfully request, therefore, the withdrawal of all rejections and that a Notice of Allowance be issued in the case with all due speed. However, Applicants also note for the record their explicit right to re-file claims to one or more aspects of the invention as originally claimed in one or more continuing application(s) retaining the priority claim from the present and parent cases.

Should the Examiner have any questions, a telephone call to the undersigned Applicants' new representative would be appreciated.

Respectfully submitted,



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